

Minutes
Board of Supervisors
Regular Meeting
April 17, 2018

Members Present: Morgan Phenix, Chairman At-Large
D. Keith Guzy, District 1
David Wiatrowski, District 2
Mark Stroupe, District 3
Larry Foltz, District 4
Jeff Vaughan, District 5

Staff Present: Amity Moler, County Administrator
Regina Miller, Assistant County Administrator
Janeena Zalipski, Office Aide
Michael Helm, Esquire, Miller, Earle & Shanks, PLLC

Call to Order:

Chairman Phenix called to order the regular meeting of the Page County Board of Supervisors on April 17, 2018, at 7:00 p.m., in the Board of Supervisors Room located in the Page County Government Center, 103 South Court Street, Luray. The Call to Order was followed by the Invocation given by Bobby Fox and the *Pledge of Allegiance*.

Adoption of Agenda:

Motion: Supervisor Guzy moved to adopt the agenda. Supervisor Wiatrowski seconded and the motion carried by a vote of 6-0. Aye: Phenix, Guzy, Wiatrowski, Stroupe, Foltz, Vaughan. Nay: None.

Public Hearings:

Tax Rates (2018):

Chairman Phenix opened the public hearing on Tax Rates at 7:01 p.m. The public hearing was advertised as follows:

NOTICE OF PUBLIC HEARING
BOARD OF SUPERVISORS
COUNTY OF PAGE, VIRGINIA
TAX LEVIES
CALENDAR YEAR 2018

PLEASE TAKE NOTICE: That the Board of Supervisors of the County of Page, Virginia will conduct a public hearing in the Page County Board of Supervisors Room, 103 South Court Street, Luray, VA 22835, at 7:00 PM on April 17, 2018, for the purpose of receiving public comments and to consider the proposed tax levies for calendar year 2018.

County of Page Calendar Year 2018
Tax Classifications and Proposed Levies

Year	<u>Real Estate & Mobile Homes</u>	<u>Personal Property</u>	<u>Machinery & Tools</u>	<u>Motor Carrier</u>	<u>Aircraft</u>
2017 Levy	\$0.66	\$4.64	\$2.00	\$2.00	\$0.50
2018 Proposed Levy	\$0.70	\$4.64	\$2.00	\$2.00	\$0.60

All levies are per one hundred dollars of assessed valuation at fair market value.

This Notice is given pursuant to 58.1-3007 of the Code of Virginia (1950), as amended.

Public Comments:

Powell Markowitz, Luray-Page County Airport Authority, asked the Board to reconsider raising the aircraft tax rate from \$0.50 to \$0.60. He stressed that the airport will lose airplanes that are housed in the hangars, which, at present, are full. If hangars are empty, the airport will lose revenue, which pays the mortgage on the hangars. Mr. Markowitz explained that the most expensive airplane at the airport pays about \$10,000 a year in personal property taxes, but also buys about \$15,000 in jet fuel which helps offset the expenses. The owner of that airplane has said they will leave if the personal property tax on aircraft is increased.

Doris Lansberry said she supports education and law enforcement and is opposed to the tax increase. She felt the Board's responsibility is to cut all non-essential needs of the County. She suggested the Board look at the landfill because it is the costliest item in the County's budget.

JoAnn Smeltzer said she feels the landfill is financially raping the County. She feels we are subsidizing Warren County by letting them dump their trash here and charging them a much lower rate than what the citizens of Page County pays. She requested the Board cut all they can from the budget before they raise taxes.

Marceline Miller asked the Board to consider applying the tax increase evenly between real estate and personal property tax.

Chairman Phenix closed the hearing at 7:21 p.m.

Aircraft:

Motion: Supervisor Vaughan moved to adopt the current tax rate of \$0.50 on aircraft. Supervisor Stroupe seconded and the motion carried by a vote of 4-2. Aye: Guzy, Stroupe, Foltz, Vaughan. Nay: Wiatrowski, Phenix.

Motor Carrier:

Motion: Supervisor Guzy moved to adopt the tax rate of \$2.00 on motor carriers. Supervisor Vaughan seconded and the motion carried by a vote of 5-1. Aye: Stroupe, Foltz, Vaughan, Phenix, Guzy. Nay: Wiatrowski.

Machinery & Tools Tax:

Motion: Supervisor Guzy moved to adopt the tax rate of \$2.00 for the machinery & tools tax. Supervisor Foltz seconded and the motion carried by a vote of 5-0, with 1 abstention. Aye: Stroupe, Foltz, Phenix, Guzy, Wiatrowski. Nay: None. Abstain: Vaughan.

Personal Property:

Motion: Supervisor Vaughan moved to reduce the personal property tax to \$4.50. Supervisor Guzy seconded and the motion failed by a tie vote of 3-3. Aye: Foltz, Vaughan, Guzy. Nay: Phenix, Wiatrowski, Stroupe.

Motion: Supervisor Stroupe moved to reduce the personal property tax to \$4.59. Supervisor Vaughan seconded and the motion passed by a vote of 4-2. Aye: Vaughan, Guzy, Stroupe, Foltz. Nay: Phenix, Wiatrowski.

Real Estate & Mobile Homes:

Motion: Supervisor Stroupe moved to adopt the real estate and mobile homes tax rate at \$0.70 per \$100. Supervisor Wiatrowski seconded and the motion failed by a tie vote of 3-3. Aye: Phenix, Wiatrowski, Stroupe. Nay: Guzy, Foltz, Vaughan.

Motion: Supervisor Guzy moved to adopt the real estate and mobile homes tax rate at \$0.69 per \$100. Supervisor Stroupe seconded and the motion failed by a tie vote of 3-3. Aye: Guzy, Stroupe, Vaughan. Nay: Wiatrowski, Foltz, Phenix.

Motion: Supervisor Vaughan moved to adopt the real estate and mobile homes tax rate at \$0.70 per \$100. Supervisor Stroupe seconded and the motion carried by a vote of 4-2. Aye: Wiatrowski, Stroupe, Vaughan, Phenix. Nay: Foltz, Guzy.

Budget Amendment:

Chairman Phenix opened the public hearing on the Budget Amendment at 8:23 p.m. The notice of public hearing was advertised as follows:

NOTICE OF PUBLIC HEARING
BUDGET AMENDMENT
PAGE COUNTY BOARD OF SUPERVISORS

On April 17th at 7:00 p.m., the Page County Board of Supervisors will conduct a public hearing at the Page County “Administration building, 103 South Court St., Luray, VA 22835, for the purpose of considering an amendment to the fiscal year 2018 budget. The aggregate amount of the amendments exceeds one percent of the fiscal year 2018 budget and the public hearing is required by Section 15.2-2507 of the Code of Virginia.

REVENUE:	Local Funds	\$ 506,186
	State Funds	142,835
	Federal Funds	59,539
EXPENDITURE:	Page County Public Schools	\$ 448,883
	Page County EMS	3,500
	Page County Sheriff	208,816
	Page County Landfill	17,361
	Page County Capital Projects Fund	30,000

Dennis Click, Budget Officer, said the Page County School Board requests \$77,259 in additional appropriations for recovered costs and federal funding. The Page County Sheriff’s Department requests \$2,146.32 in additional appropriations for federal funding. Also requested are appropriations of \$6,320.25 in state funding. Additionally, they are requesting a budget transfer of \$116,378. The Page County Landfill requests \$10,452 in recovered costs appropriations. Additionally, they requested \$30,000 in recovered costs be appropriated to the Capital Projects Fund. No local match is required. The total fiscal impact is an increase to the county budget of \$126,177.57. Staff recommends appropriation of all recovered costs, transfers, state and federal appropriation requests.

With no public comments, Chairman Phenix closed the public hearing at 8:24 p.m.

Department	Description	Revenue Source	Expenditure	Amount
PCPS	Reimbursement of Funds	Claude Moore Charitable Fund 501-000-318.03-03	Instructional 501-6101-511.30-00	\$19,866.00
PCPS	Title V – Rural and Low Income	Title V – Rural and Low Income 501-0000-333.02-03	Instructional 501-6101-511.30.00	\$57,393.00
Sheriff – Investigations	Asset Forfeiture	Federal Asset Forfeiture 101-0000-333.01-04	Federal Asset Forfeiture 101-3121-431.58-10	\$2,146.32
Sheriff – Investigations	Asset Forfeiture	State Asset Forfeiture 101-0000-324.04-01	State Asset Forfeiture 101-3121-431.58-09	\$6,320.25
Battle Creek Landfill	Surplus Sale	GovDeals 101-0000-318.02-86	Repair & Maint. Supplies 101-4241-442.60-07	\$10,452.00
Capital Projects Fund	Surplus Sale	GovDeals 101-0000-318.02-86	Capital Projects 301-9420-541.80-23	\$30,000.00
Total				\$126,177.57

Motion: Supervisor Guzy moved to approve the appropriation of recovered costs, state and federal funding in the amount of \$126,177.57. Additionally, I approve transfers amounting to \$116,378. Supervisor Foltz seconded and the motion carried by a vote of 6-0. Aye: Stroupe, Foltz, Vaughan, Phenix, Guzy, Wiatrowski. Nay: None.

Public Comments on Agenda Items:

There were no speakers during Public Comments on Agenda Items.

Actions Matters:

Enterprise Zone Amendment Review:

Liz Lewis, Economic Development/Tourism Coordinator, said the Page County Enterprise Zone currently includes 2,084 acres of industrial and commercially zoned properties. The Administrative Code of Virginia (13 VAC5-112-440) for the Department of Housing and Community Development (DHCD), states unincorporated areas of counties may include land area up to, and not to exceed, 3,800 combined acres. Section 59.1-544 of the Code of Virginia authorizes amendment of enterprise zones via application to DHCD. Localities can make amendments once every twelve months to the boundary and/or incentives via an application. The expansion of the Zone increases the County's ability to be competitive for attracting and encouraging new investment. Staff is proposing several parcels be added and therefore, increasing the Zone's footprint to 2,374.44 acres. This decision was made after future development discussions with potential businesses, each Town, our GIS department and DHCD. Mrs. Lewis reminded the Board that a proposed boundary amendment with three maps and corresponding tax map have been provided for their consideration. Staff requests the Board schedule a public hearing on May 15, 2018, to consider expansion of the County's Enterprise Zone.

Motion: Supervisor Stroupe moved to schedule a public hearing on May 15th, 2018, on amendment to the Page County Enterprise Zone. Supervisor Guzy seconded and the motion passed by a vote of 6-0. Aye: Foltz, Vaughan, Phenix, Guzy, Wiatrowski, Stroupe. Nay: None.

Special Use Permit Review – Jennifer Westhoff:

Tracy Clatterburck, Zoning Administrator, reviewed the special use permit application that Jennifer Westhoff filed to operate a home occupation, which will include private falconry classes in an accessory building located at 1810 Panorama View Drive, Stanley, VA. The property is currently zoned as Woodland-Conservation (W-C). In addition to the existing 12 x 20 accessory building, this property is improved with her primary residential dwelling and detached garage. Ms. Westhoff already has a Page County business license for off-site services. She has been going to schools, day care centers, parks, camps, etc. to provide educational classes and experiences for approximately six years. This special use permit would allow her to provide these services on-site at her residence, with the use of the accessory building, as a classroom. These services would be provided for small groups by appointment only. She will not be open to the general public for viewing. The applicant has communicated with the Page County Health Department, Page County

Building Department, and VDOT, all of which have no objections to this request. The Page County Planning Commission held a public hearing on April 10, 2018, and there was no opposition from the public. The Commission unanimously recommended approval to the Board for granting this request. Staff recommends this be scheduled for public hearing at the work session on May 1, 2018.

Motion: Supervisor Stroupe moved that the Page County Board of Supervisors hold a public hearing on this application for a special use permit at the Board's May 1, 2018 work session, and direct staff to provide adequate notice of such hearing in accordance with the Code of Virginia Section 15.2-2204. Supervisor Guzy seconded and the motion carried by a vote of 6-0. Aye: Vaughan, Phenix, Guzy, Wiatrowski, Stroupe, Foltz. Nay: None.

Board and Commission Appointments:

Ms. Miller reviewed the Board and Commission appointment that need to be made to the Building Code Appeals Board, Old Dominion Alcohol Safety Action Program Board and Community Criminal Justice Board.

Building Code Appeals Board:

A vacancy exists on the Building code Appeals Board for the District 1 seat. An appointment is needed for an unexpired term through December 31, 2021.

No action was taken.

Old Dominion Alcohol Safety Action Program Board and Community Criminal Justice Board:

The term of Tim Foster has expired on both of these Boards. The Director has informed that they would like for either Mr. Foster to be reappointed or Lieutenant Dominika Seal to be appointed because she has attended in Mr. Foster's absence. Sheriff Cubbage has requested that Lieutenant Dominika Seal be appointed to the seat.

Motion: Supervisor Foltz moved to appoint Lieutenant Dominika Seal to the Old Dominion Alcohol Safety Action Program and the Old Dominion Community Criminal Justice Board for a three-year term. Supervisor Stroupe seconded and the motion carried by a vote of 6-0. Aye: Phenix, Guzy, Wiatrowski, Stroupe, Foltz, Vaughan. Nay: None.

Consent Agenda:

Motion: Supervisor Guzy moved to approve the Consent Agenda as follows:

- Financial reports for the period of March 1-31, 2018.
- Accounts payable checks, payroll checks, payroll direct deposits, and payroll tax related electronic fund transfers totaling \$1,380,678.48 for the month of March 2018.
- Minutes of March 6, 2018 and March 26, 2018.

Supervisor Wiatrowski seconded and the motion carried by a vote of 6-0. Aye: Guzy, Wiatrowski, Stroupe, Foltz, Vaughan, Phenix. Nay: None.

Old Business:

There was no Old Business to discuss.

New Business:

Supervisor Stroupe said he would like to have a sign at the Tech Center and he is working with Ms. Clatterbuck to see what it will involve.

The Board was in consensus to cancel the April 19, 2018 budget meeting.

Open Public Comments:

Doris Lansberry commented that the County has not tightened its belt. She is upset over the County spending \$100,000 for a consultant to do a Request for Proposal (RFP) for the recent refinancing. Mrs. Lansberry felt that the County should charge an entertainment tax, hire a contract specialist to look over the Warren County contract with the landfill, and getting insurance to cover environmental accidents at the Landfill.

JoAnn Smeltzer commented that she was angry over the tax rate increase and the Board has done wrong by its citizens.

Setting the PPRTA Rate for 2018:

Becky Smith, Commissioner of the Revenue, said the PPTRA (Personal Property Tax Relief) rate for 2018 will be 35.5%.

Motion: Supervisor Guzy moved to adopt the PPTRA as 35.5%. Supervisor Stroupe seconded and the motion passed by a vote of 6-0. Aye: Wiatrowski, Stroupe, Foltz, Vaughan, Phenix, Guzy. Nay: None.

Administrator's Report:

Mrs. Moler said May 5, 2018, is the date that has been set for the community spring cleanup day. Citizens will be allowed to bring a truck load of bulk waste for free. No household hazardous waste will be accepted. Mrs. Moler said she met with Mrs. Butterfield from Lord Fairfax Community College and told her that the Board had decided to waive the building permit fees for construction of the new campus. She asked the Board if they wanted to reconsider the amount they wanted to contribute over the 5-year period. The building that LFFC is in now will be going up for auction so they want to get started on the new building as soon as possible.

The Board was in consensus to wait until the next budget meeting to discuss the LFFC pledge.

Supervisors Time:

Supervisor Vaughn said this has been a difficult meeting, and not to get into a debt but he wants the citizens to know that we do have insurance at the Landfill to cover any kind of catastrophe. He advised that people who come to speak to get with county staff before making a comment of that magnitude.

Supervisor Stroupe asked the citizens to get involved, together we can pull this off.

Supervisor Guzy said this is the hardest thing that has to be done, none of this on this board takes it lightly.

Supervisor Wiatrowski said that he feels the Entertainment tax needs to be discussed by the Board.

Supervisor Foltz said he has talked to a lot of people he represents in his district and that's why he voted the way he did.

Chairman Phenix said he started his day off at Social Services and the situation is bleak. He said the Board and the County staff are doing the best they can to make a dollar stretch.

Recess: The Board took a brief recess at 9:02 p.m.

Reconvene: Chairman Phenix reconvened the meeting at 9:13 p.m.

Budget Work Session:

Sheriff's Office Budget Presentation:

Sheriff Cabbage started presented the Sheriff's Office budget for fiscal year 2018-2019. He outlined the goals and objectives for the coming year and reviewed salaries and positions for each operating area.

(Clerks Note: Supervisor Wiatrowski left the meeting at 9:29 p.m.)

Next, he highlighted the inmate work detail information detailing hours and savings for each agency. He also reviewed the program expansion request in the bailiff budget in the amount of \$30,000 for a holding cell/security room to control movement from the booking area in the jail.

Additional funding requests include: flooring for Patrol and Administrative buildings, \$5,000 to purchase updated ballistic vests, reinstate the Emergency Response Team, expand the narcotics K9 program, a new roof and deck for the CID building, and a pre-fab garage to process evidence for cases. In conclusion, he indicated the need for additional funding to train the Animal Control Officers.

Budget Review:

Mrs. Moler informed the Board that the budget public hearing ad needs to go out Thursday and the numbers to advertise needs to be determined. She said the meeting with the EMS departments on changing the revenue recovery amounts went better than expected, so now they may be able to finance two full time EMS so we can have one stationed in Shenandoah as well as one in the Luray area. Dennis Click gave the Board three budget proposals based on a previous budget meeting. One proposal was with funding one EMS position, the second proposal was funding two EMS positions, and proposal number three was funding one EMS and half of the repairs for the Courthouse.


After discussion, it was decided to advertise the budget public hearing to include the proposal with two EMS positions and cutting the amount for courthouse repairs.

Adjourn: 10:34 p.m.

With no further business, Chairman Phenix adjourned the meeting.



Morgan Phenix, Chairman



Amity Moler, County Administrator